

No. 83-95
IN THE SUPREME COURT OF THE UNITED STATES
1983 TERM

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SUPREME COURT, U.S.

ERNEST S. PATTON, Superintendent,
SCI-Camp Hill, and HARVEY BARTLE, III,
Attorney General of the Commonwealth
of Pennsylvania,

Petitioners

v.

JON E. YOUNT,

Respondent

MOTION FOR APPOINTMENT OF COUNSEL

GEORGE E. SCHUMACHER
Federal Public Defender

590 Centre City Tower
650 Smithfield Street
Pittsburgh, Pennsylvania 15222

412/644-6565
FTS/722-6565

MOTION FOR APPOINTMENT OF COUNSEL

AND NOW comes the respondent, Jon E. Yount by his counsel, George E. Schumacher, Federal Public Defender for the Western District of Pennsylvania and moves this Honorable Court for appointment of George E. Schumacher under Rule 46 of the Rules of the Supreme Court of the United States as counsel, and as grounds therefor sets forth as follows:

1. For the educational background of George E. Schumacher, please see Exhibit "A" attached hereto.

2. George E. Schumacher has been admitted to the bars of the following courts:

- a. Common Pleas Court of Allegheny County, Pennsylvania;
- b. Superior Court of the Commonwealth of Pennsylvania;
- c. Supreme Court of the Commonwealth of Pennsylvania;
- d. United States District Court for the Western District of Pennsylvania;
- e. United States Court of Appeals for the Third Circuit; and
- f. Supreme Court of the United States.

3. For the past nine years, George E. Schumacher has served as the Federal Public Defender for the Western District of Pennsylvania by appointment of the United States Court of Appeals for the Third Circuit upon the recommendation of the district judges for the Western District of Pennsylvania.

In his capacity as Federal Public Defender, Mr. Schumacher has represented indigent clients in every conceivable type of federal criminal violation, including the trial of mail fraud conspiracy, drug violations, bank robbery and other types of cases. In addition, he has represented numerous clients in habeas corpus cases resulting from state court convictions in the Commonwealth of Pennsylvania. He has tried more than 100 criminal trials in federal court and has argued more than 50 times before the United States Court of Appeals for the Third Circuit.

Prior to his appointment as Federal Public Defender, Mr. Schumacher was in private practice for a period of approximately five years, which practice included both the trial of civil and criminal cases in both state and federal courts. During that period of time he briefed and argued cases before the United States Court of Appeals for the Third Circuit, the Superior Court of Pennsylvania and the Supreme Court of Pennsylvania.

Before entering private practice, Schumacher served for five years as an Assistant United States Attorney for the Western District of Pennsylvania. During this period of time he tried civil and criminal cases in federal court and argued cases before the United States Court of Appeals for the Third Circuit.

Prior to his employment with the U.S. Attorney's Office, Schumacher served as a law clerk to two federal court judges.

4. George E. Schumacher was appointed by Magistrate

Robert C. Mitchell to represent Jon E. Yount before the United States District Court for the Western District of Pennsylvania. Schumacher represented the respondent in hearings before Magistrate Mitchell and before the Hon. Donald E. Ziegler.

5. George E. Schumacher represented the respondent before the United States Court of Appeals for the Third Circuit in the briefing and oral argument of this case.

6. The respondent, Jon E. Yount, requests the Court to appoint George E. Schumacher, Esquire to represent him before this Honorable Court.

Respectfully submitted,


George E. Schumacher
Federal Public Defender

RESUME

GEORGE E. SCHUMACHER, B.A., L.L.B., J.D.

Education:

Bachelor of Arts	The University of Pittsburgh, June 11, 1953
Bachelor of Laws	The University of Pittsburgh, School of Law, 1961
Juris Doctor	The University of Pittsburgh, October, 1968

Admissions to Practice:

All Courts of Allegheny County, Pennsylvania	June, 1961
The United States District Court for the Western District of Pennsylvania	December 14, 1961
Superior Court of Pennsylvania	1962
Supreme Court of Pennsylvania	November 1, 1962
United States Court of Appeals for the Third Circuit	May 21, 1968 (I argued cases before the Third Circuit prior to this date, because of my status as an Assistant United States Attorney.)
Supreme Court of the United States	October 1, 1972

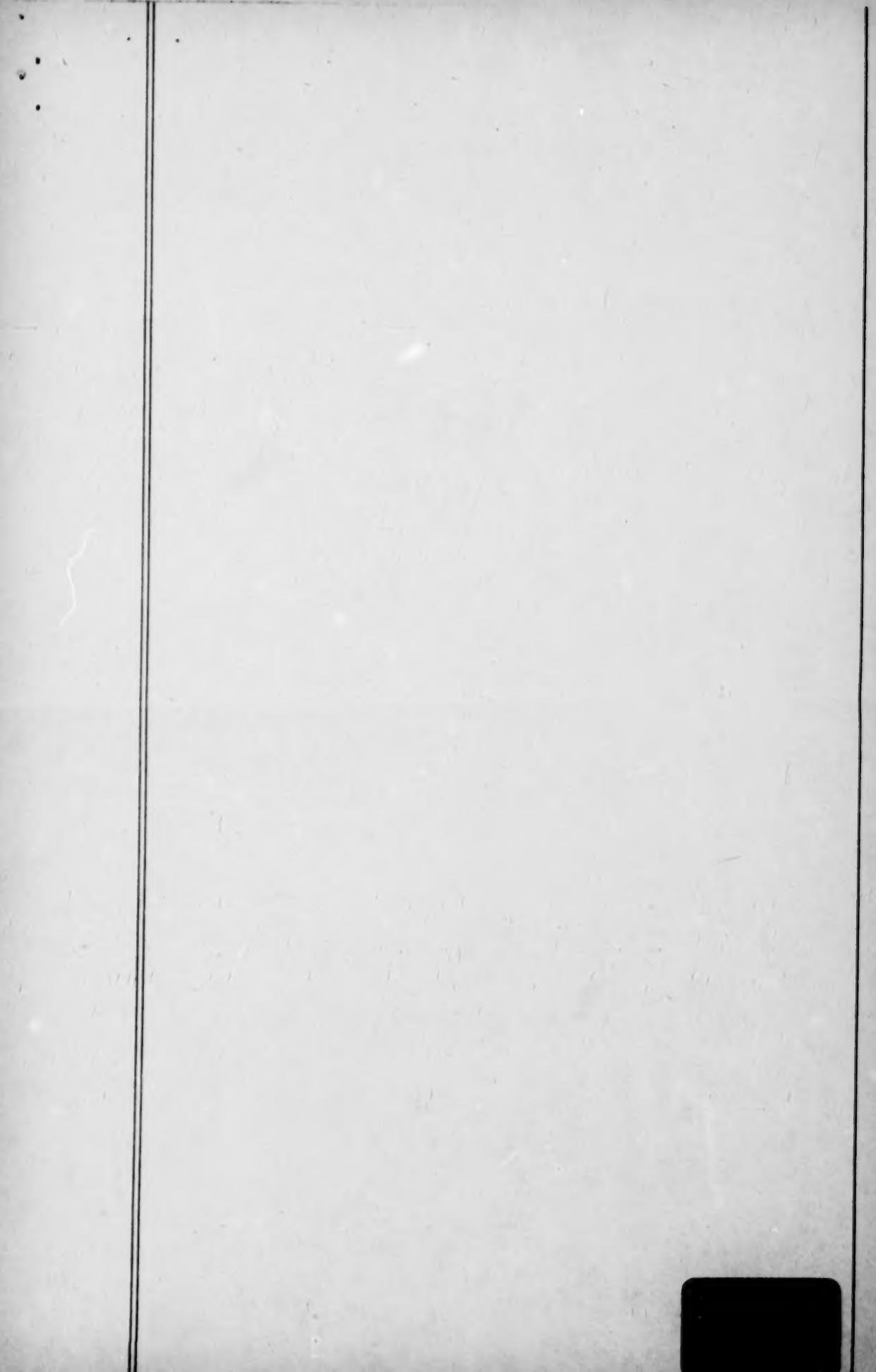
Legal Experience:

Assistant Law Clerk for Senior District Judge Rabe F. Marsh, Federal Court, Pittsburgh	1962
Administrative Assistant to Senior District Judge Joseph P. Willson, Federal Court, Pittsburgh	1963-1964
Assistant United States Attorney	1964-1968
Schumacher & White private practice	1969 to October 28, 1974
Federal Public Defender for the Western District of Pennsylvania	October 28, 1974 to present

Military Service:

United States Army

September 9, 1954 to August 30, 1956. My primary place of duty during this period of time was as an enlisted man on the Secretary to the General Staff at Seventh Army Headquarters in Germany with a top secret clearance and a rank of Specialist Third Class.



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ORDER OF COURT

AND NOW, to-wit, this _____ day of _____, 1983, upon consideration of the foregoing Motion for Appointment of Counsel, IT IS ORDERED, ADJUDGED AND DECRED that

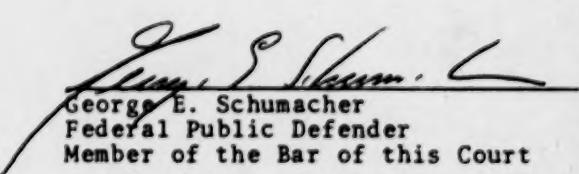
BY THE COURT:

CERTIFICATION OF SERVICE

I hereby certify that on this 28th day of October, 1983, a copy of this Motion for Appointment of Counsel was mailed by regular U.S. Mail, postage prepaid, to:

F. Cortez Bell, III
Assistant District Attorney
Clearfield County
P.O. Box 887
Clearfield, Pennsylvania 16830

Jon E. Yount
C-8297
State Correctional Institution
P.O. Box 200
Camp Hill, Pennsylvania 17011


George E. Schumacher
Federal Public Defender
Member of the Bar of this Court